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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/503,362	02/14/2000	Pekka J. Heinonen	4925-34	6491

7590 12/12/2006  
Michael C Stuart Esq  
Cohen Pontani Lieberman & Pavane  
551 Fifth Avenue Suite 1210  
New York, NY 10176

EXAMINER
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SENF, BEHROOZ M

ART UNIT	PAPER NUMBER
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2621

DATE MAILED: 12/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/503,362

Applicant(s)

HEINONEN, PEKKA J.

Examiner

Behrooz Senfi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/21/2006 has been entered.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1 - 19 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Applicant asserts (remarks; filed 09/21/2006, page 6, lines 1 - 4) that the support for the newly added limitations may be found in page 8, lines 7 - 12 and 15 - 17 of the originally filed specification. However; page 8, lines 7 - 12 and 15 - 17 as cited by applicant, fails to describe and support the newly added limitations as to reasonably

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convey one skilled in the art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The newly added limitations “wherein the interface module determines whether the mobile terminal is configured to display the received data, and wherein the decoded data is displayed on the remote output device if the mobile terminal is not configured to display the received data” as recited in the amended independent claims 1, 8, 14 and 15 is new matter, which does not have support in the specification as originally filed.

In view of the above claims 1 – 19 are rejected for the same reason as set forth in the last Office Action, mailed 07/25/2006. The rejection is being restated for applicant convenience.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1 – 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dahm et al. (US 6,301,471) in view of Spaur et al (US 5,732,074).

Regarding claim 1, Dahm '471 teaches, a system for processing of data to and from a mobile terminal (i.e. fig. 2b), a mobile terminal comprising a data bus for receiving and transmitting data to a wireless communication network (i.e. fig. 2b, mobile 250 includes data buses for bi-directional wireless communication), an output device for presenting at least one of audio, video and texture information to a user (i.e. fig. 2b,

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display 260), an interface module connected to the data bus of the mobile terminal (i.e. fig. 2b, interface 252 and 264), a protocol stack for processing data to and from the data bus of the mobile terminal (i.e. fig. 2b, shows the protocol for processing data), the user agent for decoding data to and from the protocol stack (i.e. fig. 2b, client module 256 and 264), a signal generator for converting the decoded data from the user agent into signals formatted for processing by the output device so that the output device presents at least one of audio, video, and textual information to the user (i.e. fig. 2b, 256, 264, 260 and processor).

However, Dahm does not require the interface module to include a protocol stack, a user agent and signal generator as claimed. In contrast, these limitations are taught to be integral along with the interface module in the mobile device. Despite the difference, there is no distinct functional advantage of having these limitations configured within the interface module as claimed. The use of a one piece construction instead of separable, having the same result would be merely a matter of obvious engineering design choice, *In re Larson*, 144 USPQ 347 (CCPA 1965).

Furthermore, Dahm '471 is silent in regards to, an output device "remotely located from the mobile terminal" as newly added to the claim.

Spaur '074 in the same field teaches, an output device "remotely located from the mobile terminal" (i.e. fig. 2, 10a/60 in a remote location, which includes input and output devices for presenting at least one of audio, video and texture information to a user).

In view of the above, it would have been obvious to one having ordinary skill in the art to modify the system of Dahm in accordance with the teaching of Spaur to have

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an output device in a remote location, for the purpose of bi-directional remote communication, as suggested by Spaur (col. 7, lines 25 – 40).

Regarding claims 2 and 10, combination of Dahm and Spaur '074 teaches, a user input device, manipulable by the user, for inputting data to the user agent for transmission through the mobile terminal (Dahm, fig. 2b, Keypad 262).

Regarding claims 3 and 11, combination of Dahm and Spaur teaches, wireless application/communication protocol (Dahm, fig. 2b, clearly shows the mobile 250 communicates through a wireless protocol).

Regarding claims 4 and 12, combination of Dahm and Spaur teaches, short message transport protocol (Dahm, col. 18, lines 36 – 37).

Regarding claims 5 and 13, combination of Dahm and Spaur teaches, wherein the user agent is a web-browser (Dahm, fig. 2b, UDP, col. 5, lines 33 – 34).

Regarding claim 6, the limitations, browser is configured to interpret data in accordance with one of the wireless Application Protocol and the Short Message Transport Protocol, as claimed; are substantially similar in scope as recited in claims 3 and 4, therefore the grounds for rejecting claims 3 – 4, also apply here.

Regarding claims 7 and 9, combination of Dahm and Spaur teaches, the output device is a monitor (Dahm, fig. 2b, display 260).

Regarding claims 8 and 15, combination of Dahm and Spaur teaches, processing data from a data bus of the mobile terminal (Dahm, fig. 2b, device 250, including processor), and decoding the processed data using a user agent and outputting the decoded data (Dahm, fig. 2b, encoder, decoder of mobile 250 and client module), and

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converting the decoded data from the user agent into signals for presentation by an output device (Dahm, fig. 2b, module 256 and display 260), and presenting information based on the signals by the output device (Dahm, fig. 2b, display 260), and an output device remotely located from the mobile terminal, as newly added; have been analyzed and rejected with respect to claim 1 above.

Regarding claim 14, the limitations claimed have been analyzed and rejected with respect to claims 1 – 13.

Regarding claims 16 – 19, combination of Dahm and Spaur teaches, output device comprises a television monitor (Dahm, display devices as shown in fig. 1, since a television monitor has the same functionality as to display the images, and Spaur, fig. 2, remote station 10a, which includes a display screen).

#### **Contact**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Behrooz Senfi** whose telephone number is **(571) 272-7339**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mehrdad Dastouri** can be reached on **(571) 272-7418**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**Or faxed to:**

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**(571) 273-8300**

Hand-delivered responses should be brought to Randolph Building, 401 Dulany Street, Alexandria, Va. 22314.

Any inquiry of a general nature or relative to the status of the application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is **(571) 272-6000**.

B. M. S.

12/07/2006



**TUNG TO  
PRIMARY EXAMINER**